



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/511,456	10/15/2004	Patrick Payne	VP1-0008US	9929
29150	7590	07/28/2008		
LEE & HAYES, PLLC 421 W. RIVERSIDE AVE STE 500 SPOKANE, WA 99201			EXAMINER KIM, EDWARD J	
			ART UNIT 2155	PAPER NUMBER
			MAIL DATE 07/28/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/511,456	PAYNE, PATRICK	
	Examiner	Art Unit	
	EDWARD J. KIM	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to the amendment filed on 05/02/2008.
2. Claims 1-12 are pending in this office action. Claims 1, 3, 4, 7, 8, and 9 have been amended. Claim 12 has been newly added.

Response to Amendment

3. The Examiner accepts the amendments for examinations, withdraws previous objections to the claims, and withdraws previous 35 U.S.C. 112 second paragraph rejections presented in the previous Office Action filed to the Applicant on 11/02/2007.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claim 12 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 12 recites a first network and a second network, which was not described in detail in the specification of the application. There is lack of antecedent basis of the terms in the specification.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claim 12 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 12 recites a *first network* and a *second network*, which were not disclosed in detail in the specification nor the claims, failing to particularly point out and distinctly claim the invention.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 4, 5, 6, 10, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hall et al. (US 2001/0012281 A1), hereinafter referred to as Hall, in view of Larkins (US 6,295,291 B1).

Hall discloses a method and system whereby a mobile phone user can select one or more preferences for the mobile phone from a simulated mobile phone display on a web page (see Abstract).

Regarding claim 4, Hall discloses, a method comprising:

transmitting the at least one change to the mobile phone's configuration information to the mobile phone, wherein the mobile phone's configuration is updated with the at least one change (Abstract ln.1~4, paragraphs [0016], [0017] – [0019]. Hall teaches that a user can select one or more service preferences for the mobile phone from a web page associated with the

mobile phone, and that the mobile phone may be updated automatically without human intervention.),

displaying a second web page on a computer, the second web page displaying the at least one change to the mobile phone's configuration information, the second web page being adapted for display on a computer (Abstract ln.1~4, paragraphs [0016], [0017] – [0019]. Hall teaches that a user can select one or more preferences for the mobile phone from a web page associated with the mobile phone, which includes a simulated display of the phone.).

Regarding the limitations:

displaying a first web page on a mobile phone, the first web page displaying the mobile phone's configuration information, the first web page being further adapted for display on a mobile phone; selecting, using the mobile phone, at least one change to the mobile phone's configuration information for transfer to the mobile phone.

Although Hall fails to *explicitly* disclose the method of selecting changes to configuration information via the mobile phone, Hall discloses that it was known at the time the invention was made that the mobile phones were capable of accessing and navigating through web sites (Hall, paragraph [0005]). Hall discloses that the invention is suggested to overcome the problem of “inconsistent and inconvenient ways” existing mobile systems access the configuration information and that the existing mobile phone do not provide adequate viewing capabilities when trying to alter the “look and feel” of the mobile phone (Hall, paragraph [0005]). Then Hall further goes on to describe the capabilities of a mobile phone as a “wireless computer with telephone capabilities” (Hall, paragraph [0018]). Also refer to Abstract ln.1~4, paragraphs [0016], [0017] – [0019], where Hall discloses that a user can select one or more preferences for

Art Unit: 2155

the mobile phone from a web page associated with the mobile phone, which includes a simulated display of the phone.

Further on, Larkins also discloses a system and method of setup of a new subscriber for radiotelephone services via the internet, where the web page is viewable via the radiotelephone (Larkins, col.2 ln.25-29). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Hall with those of Larkins to provide access to a web site via the mobile phone as taught by Larkins. One would have been motivated to do so to allow the user a more enhanced experience of mobility.

Regarding claim 5, Hall discloses, a system for a user to modify a home page associated with a mobile phone, comprising:

an image of said mobile phone and configuration information pertaining to the mobile phone presentable at said home page (Hall, Abstract Lines 1~4, paragraphs [0006], [0013]~[0016], Fig. 1, and Claims 12~17); and

said mobile phone having a display for indicating configuration information associated with the mobile phone and an input device for changing the configuration information; wherein when said configuration information is changed on the mobile phone by a mobile phone user, said configuration information pertaining to said home page is correspondingly changed (Abstract ln.1~4, paragraphs [0004]-[0005], [0016], [0017] – [0019]. Hall discloses that configuring the mobile phone directly on the device is already known in the art, and the inconvenience of doing so is presented as a problem that will be solved with the disclosed invention. Hall discloses that a web site associated with the mobile phone and the user allows a more convenient way of changing the configuration of the mobile phone. The web site includes

a representation of the mobile phone and its configuration information, and any changes made on the phone directly are synchronized on the web site. As explained above in the rejection of claim 4, Larkins also discloses the use of mobile phones to access web pages.).

Regarding claim 6, Hall disclosed the limitation, as claim in claim 5, and further discloses that the home page is viewable via a computer (Hall, fig.1, Abstract) however fails to explicitly disclose that a home page is viewable via a mobile phone.

Larkins discloses a system and method of setup of a new subscriber for radiotelephone services via the internet, where the web page is viewable via the radiotelephone (Larkins, col.2 ln.25-29).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Hall to include access to a web site via the mobile phone as taught by Larkins. One would be motivated to do so to allow the user a more enhanced experience of mobility.

Regarding claim 10, Hall disclosed the limitations, as described in claim 5, and further discloses, a system wherein the configuration information pertaining to the mobile phone presentable at said home page is displayed on a portion of the image of the mobile phone (Abstract ln.1~4, paragraphs [0004]-[0005], [0016], [0017] – [0019]).

Regarding claim 11, Hall disclosed the limitations, as described in claim 5, and further discloses, a system wherein said configuration information pertaining to said mobile phone on said home page is correspondingly changed by said mobile phone sending information pertaining to the change to a server, and the server sending the information pertaining to the change to a computer that presents the home page (Abstract ln.1~4, paragraphs [0004]-[0005], [0016],

Art Unit: 2155

[0017] – [0019]. Hall discloses that configuring the mobile phone directly on the device is already known in the art, and the inconvenience of doing so is presented as a problem that will be solved with the disclosed invention. Hall discloses that a web site associated with the mobile phone and the user allows a more convenient way of changing the configuration of the mobile phone. The web site includes a representation of the mobile phone and its configuration information, and any changes made on the phone directly are updated on the web site. The home page is accessed by the mobile phone and settings are changed. When a user is also accessing the home page via a computer, the user will be able to access the corresponding changes made by the mobile phone. Also, as explained in the rejection of claim 2, Larkins discloses the use of mobile phones to access web pages.).

10. Claims 1, 2, 3, 9, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Larkins (US 6,295,291 B1), in view of Duncan et al. (US 2002/0107002 A1).

Larkins discloses a setup of a new subscriber for radiotelephone service via the internet.

Regarding claim 1, Larkins discloses a method of activating a mobile phone comprising (Larkins, Abstract ln.11, col.3 ln.43. Larkins discloses “an over-the-air activation function” for a radiotelephone. It should be noted that the “radiotelephone” that Larkins refers to is equivalent to the “mobile phone” mentioned by the applicant.):

collecting information associated with the mobile phone and collecting preferences of a user associated with the mobile phone (Larkins, col.4 ln.4-20, col.1 ln.40-44, col.1 ln.45-49.

Larkins discloses a process that takes information of a potential subscriber and then programs the radiotelephone with the appropriate data. Collection of information associated with the user is

again disclosed by Larkins as well as the collection of information associated with the mobile phone.);

based on said information, preparing a personal home page for said user that is accessible by a computing device and by the mobile phone (Larkins, col.1 ln.31-38, col.2 ln.16-18, col.2 ln.22-29). Larkins discloses the usage of an internet access device to access the world wide web server, where the server provides a web page that displays and makes available a plurality of radiotelephone services and features. It is further disclosed that the “internet access device is a desktop computer running a world wide web access program referred to as a web browser” (col.2 ln.16-18) and that “other brands and types of computers and other web browsers may be used by the present invention” (col.2 ln.22-24). Use of phone as a web browser to access the services is mentioned in the specifications as well. (col.2 ln.25-29));

Larkins fails to *explicitly* disclose a method of transmitting a first message to the mobile phone based on the collected information, the mobile phone message comprising configuration information operative to configure the mobile phone; transmitting a second message to said mobile phone providing an address of said personal home page once the mobile phone is configured.

Duncan et al. discloses a system for sending text message alerts to users of mobile communications devices. Duncan et al. discloses a messaging system (Duncan et al., paragraphs [0012]~[0051]) wherein a message, which includes the web address of the response web page, is sent to the mobile phone for the purpose of accessing the web page (Duncan et al., paragraphs [0014], [0025], [0031], [0063]). The link of the web address in the message configures the mobile phone in order to access the web page.

It would have been obvious for one of ordinary skill in the art at the time of the invention was made to modify the teachings of Larkins with those of Duncan et al. to include a method of sending a message to the mobile phone, including a means to configure the mobile phone to view the home page. One would have been motivated to do so to allow the user to acknowledge (Larkins, col.5 ln.9-19) that the web page has been set-up and allow automatic configuration of the mobile phone to view the web page. It is disclosed by Duncan et al., in paragraphs [0001]-[0011], that such message system allows the user to access information in a more convenient and timely manner. It would have also been obvious to transmit messages in different order, such as sending a message with the link to the web page after the mobile phone has been configured, as this is a design choice that is chosen by the architect. One would have been motivated to do so, to provide a convenient access to a web page after the configurations has been set, in case the user needs to make further changes.);

receiving a request comprising the address for the home page from the configured mobile phone; and transmitting the personal home page to the configured mobile phone such that when the configured mobile phone receives the personal home page, the configured mobile phone displays the personal home page (Duncan et al., paragraphs [0014], [0025], [0031], [0063]. When a user clicks on the link, embedded in the message to the mobile phone, a request is sent from the mobile phone and the system receives the request, then processes it to provide the user with the home page.).

Regarding claim 2, Larkins disclosed the limitations, as described in claim 1, and further discloses, a method wherein said information includes default information selected by a service provider associated with the mobile phone (Larkins, col.1 ln.45-55. Larkins discloses a system

that “receives the registration information from the radiotelephone and looks up the appropriate radiotelephone service profile”).

Regarding claim 3, Larkins disclosed the limitations, as described in claim 1, and further discloses, a method wherein the mobile phone is not initially configured to be able to view web pages and wherein the method further comprises configuring said mobile phone to be able to view web pages based on said configuration information (Larkins, col.2 ln.25-29, col.4. ln.4 - col.5 ln.19. Larkins discloses that the phone needs to be authenticated, after being configured with information provided, in order to enjoy the services available such as viewing a web page.).

Regarding claim 9, Larkins disclosed the limitations, as described in claim 1, and further discloses a method wherein the first message includes configuration information operative to configure the mobile phone to view an application indicated on the personal home page, and wherein the configured mobile phone uses the configuration information to interact with the application indicated on the personal home page (Larkins, col.5 ln.9-19. Larkins discloses that an acknowledgement message is sent to the telephone indicating that information has been received and that various parameters have been updated, which is allows the phone to be authenticated for services provided by the service providers.).

Regarding claim 12, Larkins discloses a method comprising:
receiving, over a first network, user profile and preferences data for a mobile phone,
wherein the mobile phone is to be used to access a second network through a service provider;
storing the user profile and preferences data on a database; transmitting, over the second network,
at least some of the user profile and preferences data to the service provider, wherein the service provider uses the data to configure the mobile phone when it is activated (Larkins, col.4 ln.4-20,

col.1 ln.40-44, col.1 ln.45-49. Larkins discloses a process that takes information of a potential subscriber and then programs the radiotelephone with the appropriate data. Collection of information associated with the user is again disclosed by Larkins as well as the collection of information associated with the mobile phone. Use of phone as a web browser to access the services is mentioned in the specifications as well. (col.2 ln.25-29). Larkins discloses access to two different networks: computer network (such as the Internet) and mobile phone network);

dynamically generating a web page, wherein the web page displays the user profile and preferences data stored on the database, and wherein the web page is capable of being displayed on the mobile phone or on a computing device; receiving, over the second network, a request to display the web page on the mobile phone; sending, over the second network, the web page to the mobile phone; receiving, over the second network, at least one change to the user profile and preferences data displayed on the web page; updating the user profile and preferences data on the database to reflect the at least one change; and dynamically regenerating the web page to reflect the at least one change to the user profile and preferences data (Larkins, col.1 ln.31-38, col.2 ln.16-18, col.2 ln.22-29, col.4 ln.4-20. Larkins discloses the usage of an internet access device to access the world wide web server, where the server provides a web page that displays and makes available a plurality of radiotelephone services and features. It is further disclosed that the “internet access device is a desktop computer running a world wide web access program referred to as a web browser” (col.2 ln.16-18) and that “other brands and types of computers and other web browsers may be used by the present invention” (col.2 ln.22-24). Use of phone as a web browser to access the services is mentioned in the specifications as well. (col.2 ln.25-29). The changes made are reflected on the mobile phone.);

Larkins fails to *explicitly* disclose transmitting messages to the mobile phone. Duncan et al. discloses a system for sending text message alerts to users of mobile communications devices. Duncan et al. discloses a messaging system (Duncan et al., paragraphs [0012]~[0051]) wherein a message, which includes the web address of the response web page, is sent to the mobile phone for the purpose of accessing the web page (Duncan et al., paragraphs [0014], [0025], [0031], [0063]). The link of the web address in the message configures the mobile phone in order to access the web page.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Larkins with those of Duncan to implement a method comprising; receiving a message from the service provider over the second network that the mobile phone has been activated; transmitting, over the second network, a message to the mobile phone indicating that the mobile phone is active, the message further comprising an address for the web page. One would have been motivated to do so to allow the user to acknowledge (Larkins, col.5 ln.9-19) that the web page has been set-up and allow automatic configuration of the mobile phone to view the web page. It is disclosed by Duncan et al., in paragraphs [0001]-[0011], that such message system allows the user to access information in a more convenient and timely manner. It would have also been obvious to transmit messages in different order, such as sending a message with the link to the web page after the mobile phone has been configured, as this is a design choice that is chosen by the architect. One would have been motivated to do so, to provide a convenient access to a web page after the configurations has been set, in case the user needs to make further changes.

11. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Larkins (US 6,295,291 B1), in view of Duncan et al. (US 2002/0107002 A1), hereinafter referred to as Duncan, and in further view of Hall et al. (US 2001/0012281 A1), hereinafter referred to as Hall.

Regarding claim 7, Larkins disclosed the limitations, as described in claim 1, and further discloses a method wherein the personal home page includes the configuration information, and wherein the first message includes configuration information operative to configure the mobile phone to synchronize with information associated with the personal home page such that when changes are made to the personal home page, configuration information is automatically changed on the mobile phone (Larkins discloses the setup of new subscriber for radiotelephone services via the internet, however, fails to explicitly disclose a method of sending a message, which includes configuration information.).

Duncan discloses a system for sending text message alerts to users of mobile communications devices. The message disclosed by Duncan in the messaging system (Duncan, paragraphs [0012]-[0051]) includes the web address of the response web page (Duncan et al., paragraphs [0014], [0025], [0031], [0063]), wherein the link of the web address configures the mobile phone in order to access the web page, as claimed in claim 1.

It is disclosed by Larkins that after the various parameters of the mobile phone have been updated, acknowledgement messages are exchanged between the mobile phone and the web server that hosts the web page (Larkins, col.5 ln.9-19), acknowledging that the web server and the mobile phone has been synchronized. However, Larkins fails to explicitly teach that the configuration information is displayed in the web site and that the synchronization is done automatically.

Hall discloses a method and system where a user can select one or more service preferences for the mobile phone from a simulated mobile phone display on a web page. Hall teaches that a user can select one or more service preferences for the mobile phone from a web page associated with the mobile phone, and that the mobile phone may be updated automatically without human intervention (Abstract ln.1~4, paragraphs [0016], [0017] – [0019]). Also an image of the mobile phone and configuration information pertaining to the mobile phone is presented at the web page (Abstract Lines 1~4, paragraphs [0006], [0013]~[0016], Fig. 1, and claims 12~17)

It would have been obvious for one of ordinary skill in the art to modify the teachings of Larkins to include the exchange of messages including configuration information for synchronizing the web page and the mobile phone automatically and to display the configuration information on the web page, as taught by Duncan and Hall. One would have been motivated to do so, to allow the user to access information in a more convenient and timely manner via the internet.

Regarding claim 8, Larkins disclosed the limitations, as claimed in claim 1, and further discloses that after the various parameters of the mobile phone have been updated, acknowledgement messages are exchanged between the mobile phone and the web server that hosts the web page (Larkins, col.5 ln.9-19), acknowledging that the web server and the mobile phone has been synchronized. However, Larkins fails to explicitly teach that the configuration information is displayed in the web site and that the synchronization is done automatically.

Hall discloses a method and system where a user can select one or more service preferences for the mobile phone from a simulated mobile phone display on a web page. Hall

Art Unit: 2155

teaches that a user can select one or more service preferences for the mobile phone from a web page associated with the mobile phone, and that the mobile phone may be updated automatically without human intervention (Abstract ln.1~4, paragraphs [0016], [0017] – [0019]). Also an image of the mobile phone and configuration information pertaining to the mobile phone is presented at the web page (Abstract Lines 1~4, paragraphs [0006], [0013]~[0016], Fig. 1, and claims 12~17).

It would have been obvious for one of ordinary skill in the art to modify the teachings of Larkins and Duncan to include the exchange of messages including configuration information for synchronizing the web page and the mobile phone automatically and to display the configuration information on the web page, as taught by Duncan and Hall. One would have been motivated to do so, to allow the user to access information in a more convenient and timely manner via the internet).

Response to Arguments

12. Applicant's arguments filed 05/02/2008 have been fully considered but they are not persuasive.

The Applicant argues,

“With respect to Claim 4, Hall does not disclose display of a web page on a mobile phone, nor does Hall disclose selecting a change to a mobile phone’s configuration be transferred to the mobile phone using a web page displayed on the mobile phone itself.

With respect to Claims 4 and 5, Hall does not disclose a web page displaying a mobile phone's configuration information which reflects changes to the phone's configuration

where such changes were initiated on the phone itself...” (refer to last paragraph of pg.8, 1st and 2nd paragraph of pg.9 of the Amendment filed 05/02/2008)

The Examiner respectfully disagrees.

Although Hall fails to *explicitly* disclose the method of selecting changes to configuration information via the mobile phone, Hall discloses that it was known at the time the invention was made that the mobile phones were capable of accessing and navigating through web sites (Hall, paragraph [0005]). Hall discloses that the invention is suggested to overcome the problem of “inconsistent and inconvenient ways” existing mobile systems access the configuration information and that the existing mobile phone do not provide adequate viewing capabilities when trying to alter the “look and feel” of the mobile phone (Hall, paragraph [0005]). Then Hall further goes on to describe the capabilities of a mobile phone as a “wireless computer with telephone capabilities” (Hall, paragraph [0018]). Also refer to Abstract ln.1~4, paragraphs [0016], [0017] – [0019], where Hall discloses that a user can select one or more preferences for the mobile phone from a web page associated with the mobile phone, which includes a simulated display of the phone.

Further on, Larkins also discloses a system and method of setup of a new subscriber for radiotelephone services via the internet, where the web page is viewable via the radiotelephone (Larkins, col.2 ln.25-29). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Hall with those of Larkins to provide access to a web site via the mobile phone as taught by Larkins. One would have been motivated to do so to allow the user a more enhanced experience of mobility.

The Applicant argues,

“Neither Larkins nor Duncan discloses generating a personal home page for a specific mobile phone user using collected phone information and user preferences. Rather, Larkins discloses a single web site (see e.g. Larkin, Fig. 3-7) that allows a subscriber to log on and create or update a mobile phone profile. Neither Larkins or Duncan disclose transmitting a message to a mobile phone providing an address of a personal home page prepared using information associated with the mobile phone and the preferences of the phone’s user once the mobile phone is configured.” (refer to 1st paragraph of pg.11 of the Amendment filed 05/02/2008)

The Examiner respectfully disagrees.

Larkins clearly discloses a personal web page for a specific mobile phone user, using collected phone information and user preferences. Larkins discloses a process that collects information of a potential subscriber in order to program the services and the radiotelephone itself (Larkins, col.4 ln.4-9, col.1 ln.40-44, col.1 ln.45-49). Larkins also discloses a web site, provided by the service provider, where the users can log on, create, and modify user profiles and mobile phone configurations (Larkins, fig.3-7, col.1 ln.29-39). A user can access their *personal* account by logging onto the website, where upon successful log in, the user is provided with their *personal* web page for creating, modifying user profiles and mobile phone configurations. An example of such account is a Yahoo email account. Although every user logs in through the same Yahoo mail home page, the user is directed to their own *personal* email account/web page after successful log in. Therefore, Larkins discloses personal home pages, provided by the service provider, for each user, which are used to modify the services and configurations of a mobile phone.

Duncan et al. discloses a system for sending text message alerts to users of mobile communications devices. Duncan et al. discloses a messaging system (Duncan et al., paragraphs [0012]~[0051]) wherein a message, which includes the web address of the response web page, is sent to the mobile phone for the purpose of accessing the web page (Duncan et al., paragraphs [0014], [0025], [0031], [0063]). The link of the web address in the message configures the mobile phone in order to access the web page. It would have been obvious for one of ordinary skill in the art at the time of the invention was made to modify the teachings of Larkins with those of Duncan et al. to include a method of sending a message to the mobile phone, including a means to configure the mobile phone to view the home page. One would have been motivated to do so to allow the user to acknowledge (Larkins, col.5 ln.9-19) that the web page has been set-up and allow automatic configuration of the mobile phone to view the web page. It is disclosed by Duncan et al., in paragraphs [0001]-[0011], that such message system allows the user to access information in a more convenient and timely manner. It would have also been obvious to transmit messages in different order, such as sending a message with the link to the web page after the mobile phone has been configured, as this is a design choice that is chosen by the architect. One would have been motivated to do so, to provide a convenient access to a web page after the configurations has been set, in case the user needs to make further changes.

Conclusion

Examiner's Note: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is

Art Unit: 2155

respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

The prior art made of record and not relied up on is considered pertinent to applicant's disclosure.

A Shortened statutory period for reply is set to expire 3 month(s) or thirty (30) days, whichever is longer, from the mailing date of this communication.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward J. Kim whose telephone number is (571) 270-3228. The examiner can normally be reached on Monday - Friday 7:30am - 5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2155

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Edward J Kim/
Examiner, Art Unit 2155

*/saleh najjar/
Supervisory Patent Examiner, Art Unit 2155*